

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division

JENNIFER BERRY BROWN,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 5:21CV00001
)	
TOWN OF FRONT ROYAL, VIRGINIA,)	
)	
)	
Defendant.)	

**PLAINTIFF’S RULE 56(d) MOTION TO DEFER RULING ON SUMMARY
JUDGMENT MOTIONS UNTIL RULING ON ECF NO. 43**

The Plaintiff, Jennifer Berry Brown, (“Plaintiff” or “Berry”), by counsel, respectfully moves the Court pursuant to Rule 56(d) of the Federal Rules of Civil Procedure to defer ruling on the Defendant’s Motion for Summary Judgment until after ruling on Plaintiff’s Motion to Compel Testimony and Documents Concerning Advice and Involvement of Counsel (ECF No. 43), and upon ruling in favor of Plaintiff on the Motion, providing Plaintiff sufficient time to obtain documents sought from Julia Judkins, Defendant’s outside counsel, or her former law firm, and to re-depose certain Town officials thereafter on the matters discovered. In support of this Motion, Plaintiff submits her Memorandum in Support to be filed following this Motion, and refers the Court to the pending Motion to Compel, ECF No. 43, and the Memorandum in Support of that Motion filed under seal.

WHEREFORE, Plaintiff respectfully requests that the Court defer decision on the pending Motion for Summary Judgment by Defendant, pending the ruling on ECF No. 43, and for such other relief as the Court deems just.

JENNIFER BERRY BROWN

By: /s/Timothy E. Cupp
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CERTIFICATE

I hereby certify that on March 28, 2022, I electronically filed the foregoing Motion with the Clerk through the CM/ECF system, which will send a copy to Defendant's counsel of record as follows:

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